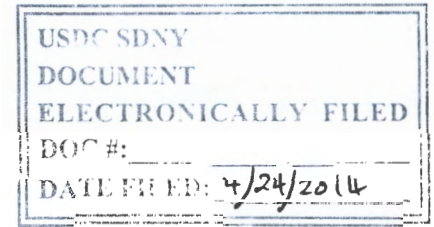


MEMO ENDORSED



ZACHARY W. CARTER
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April 22, 2014

BY ECF

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Louis Serrano v. The City of New York, et al., 13 CV 6105 (PAE)

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to handle the defense of the above-referenced matter, which is currently designated for participation in the Southern District of New York's Plan for Certain Section 1983 Cases against The City of New York (the "1983 Plan.") I write on behalf of the parties to respectfully request that the 1983 Plan designation under the Local Rules for the Southern District of New York be removed from this action, and that the Court schedule an Initial Conference to set a discovery schedule to advance this litigation.

The reason for this request is that after reviewing the case and participating in the limited discovery as contemplated by the 1983 Plan, defendants have decided to take a "no pay" position in this case. The undersigned conveyed defendants' position to plaintiff's counsel on April 22, 2014, and the parties agree that because defendants are not interested in settlement at this time, it would be more efficient to proceed with this litigation rather than attend the mediation session currently scheduled for April 23, 2014.

Should the Court grant the parties' request to opt out of the 1983 Plan, the parties respectfully request that an initial conference be scheduled in this matter at a time convenient to this Court.

I thank the Court in advance for its time and consideration.

Respectfully submitted,

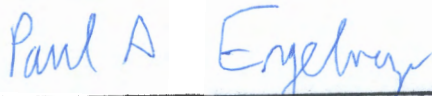


Carolyn K. Depoian
Assistant Corporation Counsel
Special Federal Litigation Division

cc: James LeBow, Esq. (by email)



SO ORDERED:



HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE